

Ballard Spahr
LLP** ORDER **

700 East Gate Drive, Suite 330
Mount Laurel, NJ 08054-0015
TEL 856.761.3400
FAX 856.761.1020
www.ballardspahr.com

Wendy Chiapaikoo
Tel: 856.761.3415
Fax: 856.761.1020
chiapaikoo@ballardspahr.com

April 29, 2025

Via ECF

Honorable Brian Martinotti, U.S.D.J.
U.S. District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

SO ORDERED

s/James B. Clark

James B. Clark, U.S.M.J.

Date: *4/30/2025*

Re: *OTTO Times International, Ltd. v. DGL Group, Ltd. et al.*
Civ. Action No. 2:24-cv-00824-BRM-JBC

Dear Judge Martinotti:

This firm represents Plaintiff, OTTO Times International, Ltd. ("OTTO") in the above-reference action. We write to respectfully request that the Court reopen the case in order for OTTO to pursue further legal action in light of Defendant, DGL Group, Ltd.'s ("DGL") breaches of the parties' settlement agreement.

By way of brief background, on February 13, 2024, OTTO commenced this action against DGL for breach of contract and unjust enrichment in connection with DGL's failure to make payment for goods that DGL purchased from OTTO.¹ The parties settled the matter and stipulated to the dismissal of the action without prejudice. The Court entered the Stipulation and Order of Dismissal on May 31, 2024. (ECF No. 24)

The parties' settlement is governed by a Release and Settlement Agreement, dated May 29, 2024 ("Settlement Agreement"), backed by a confession of judgment that OTTO is entitled to enforce in the event of DGL's breach of the Settlement Agreement's payment terms requiring DGL to pay defined payment installments on or before specified dates. DGL has repeatedly defaulted on its payment obligations under the Settlement Agreement. Accordingly, OTTO requests that the Court reopen the case in order to allow OTTO to enforce the terms of the Settlement Agreement.

¹ OTTO also named one other defendant in its complaint, however, that defendant is not implicated in the instant application.

Honorable Brian Martinotti, U.S.D.J.
April 29, 2025
Page 2

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wendy Chiapaikao". The signature is fluid and cursive, with the first name "Wendy" and last name "Chiapaikao" clearly distinguishable.

Wendy Chiapaikao

WC/kw

cc: All Counsel of Record
via ECF